

# Order

Michigan Supreme Court  
Lansing, Michigan

May 23, 2018

Stephen J. Markman,  
Chief Justice

ADM File No. 2016-31

Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein  
Kurtis T. Wilder  
Elizabeth T. Clement,  
Justices

Amendment of Rule 1.16  
of the Michigan Rules of  
Professional Conduct

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On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Rule 1.16 of the Michigan Rules of Professional Conduct is adopted, effective September 1, 2018.

[Additions to the text are indicated in underlining  
and deleted text is shown by strikeover.]

Rule: 1.16 Declining or Terminating Representation

- (a) [Unchanged.]
- (b) Except as stated in paragraph (c), after informing the client that the lawyer cannot do so without permission from the tribunal for the pending case, a lawyer may withdraw from representing a client if withdrawal can be accomplished without material adverse effect on the interests of the client, or if:

(1)-(6) [Unchanged.]

(c)-(d) [Unchanged.]

Comment: [Unchanged.]

*Staff Comment:* The amendment of MRPC 1.16 addresses the concern raised during the Court's consideration of *People v Townsend*, docket 153153, to ensure that criminal defendants are made aware of the fact that an attorney cannot withdraw without the court's permission.

The staff comment is not an authoritative construction by the Court. In addition, adoption of an amendment in no way reflects a substantive determination by this Court.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 23, 2018

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Clerk